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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 IN RE: UBER TECHNOLOGIES, INC.,
16 PASSENGER SEXUAL ASSAULT
17 LITIGATION

18 _____
19 This Document Relates to:
20

21 ALL ACTIONS
22 _____

23 Case No. 3:23-md-03084-CRB (LJC)

24 **JOINT STATUS REPORT REGARDING
THE COURT'S DEFERRAL OF RULING
ON UBER'S MOTION TO ENFORCE
PROTECTIVE ORDER**

25 Judge: Mag. Lisa J. Cisneros
26 Courtroom: G – 15th Floor
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Pursuant to the Court's October 24, 2025 Order, as well as the Court's September 3, 2025 Order Deferring Ruling on Uber's Motion to Enforce Protective Order, the parties are providing a joint status report concerning Uber's Motion to Enforce the Protective Order ("Motion").¹ The Parties respectfully request that the Court continue to defer its final ruling on Uber's Motion. Specifically, for the reasons discussed below, the parties request that the Court further extend the deadline for the parties' joint submission on its September 3 Order to 60 days after the parties' upcoming December 1, 2025 hearing in the JCCP before Judge Schulman. That new deadline would be January 30, 2026.

In its September 3 Order, this Court found that the issues raised by Uber's Motion should be "best addressed [by the JCCP Court] in the first instance," *see* ECF 3822 at 2. Uber accordingly filed a motion to enforce the protective order in the JCCP. Judge Schulman granted Uber's motion to enforce the protective order on October 22, 2025. *See* Ex. 2, Order Granting Uber's Motion to Enforce the Protective Order, Case No. CJC-21-005188. The Court found that "there appears to be little room for doubt that sealed filings from this proceeding were improperly disclosed to third parties in violation of the protective order." *Id.* at 5. The Court further held that "[i]f Plaintiffs' apparent position that the Court lacks any authority to look into violations of its own orders were to be accepted, it would render any such order a dead letter, not even worth the paper it is printed on. The Court flatly rejects that position." *Id.* at 7. The Court also stated that it "will not close its eyes to [this] violation, which it takes seriously, merely because the Court is currently unaware of the responsible party's identity or motivation for violating its order." *Id.*

In granting the motion, Judge Schulman set a November 24, 2025 deadline for "each Plaintiffs' counsel in this [JCCP] proceeding who had access to the sealed materials at issue (including those who may no longer be counsel of record)" to "conduct a reasonable investigation" and certify that they have "no knowledge or information relating to the identity of any person, entity or organization that was involved in any way—either directly or indirectly—in sharing confidential information with the New York Times" or that their investigation "revealed information concerning the source of this unauthorized disclosure to the New York Times." *Id.* at 8, Ex. A. If the latter applies, Plaintiffs' counsel are obligated to then describe

¹ The parties had understood that the Court extended the deadline for this filing from the original October 20 deadline to November 4, 2025, given Judge Schulman's statement to that effect on the record in the related JCCP state-court proceedings. *See* Ex. 1, 9/12/25 Trial Transcript at 1140:15-1141:9 (excerpts).

any information related to the unauthorized disclosure. *See id.* The JCCP Court and parties anticipate that these certifications will be discussed further at the December 1, 2025, case management conference before Judge Schulman. Given the ongoing nature of these JCCP proceedings, Uber and MDL Lead Counsel believe extending this Court's deadline for a joint submission on protective order issue until January 30, 2026 would promote judicial efficiency.

In addition, the parties also understand and agree that, as the Court provided in its September 3, 2025 Order, Uber, to the extent appropriate, may request an earlier resolution of its Motion to Enforce Protective Order in this Court "by filing a supplemental brief" addressing "(1) relevant developments in the JCCP, namely the filing of a motion for relief and any resolution by Judge Schulman; (2) specific, non-speculative reason(s) to believe that materials at issue were disclosed by a party or attorney in this MDL[]; or (3) other developments that the Court may not have anticipated at this time and that present good cause to allow Uber to renew the motion despite neither of the first two conditions listed here being satisfied." ECF 3822 at 3.

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15 DATED: October 31, 2025

Respectfully submitted,

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